



PATENT
Docket No. ENDOV-58795

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:
Boris Leschinsky

SERIAL NO.: 10/003,009

FILED: November 23, 2001

TITLE: REDUCED DIAMETER STENT/
GRAFT DEPLOYMENT CATHETER

DATE: April 14, 2004

Examiner: Vy Q. Bui

Group Art No.: 3731

Certificate of Mailing Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Mail Stop: Non-Fee Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on April 14, 2004.


John V. Hanley, Reg. No. 38,174

TERMINAL DISCLAIMER

MS: Non-Fee Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

The owner, EndoVascular Technologies, Inc., of 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,074,398. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-identified patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

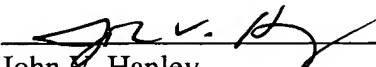
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of prior patent (6,074,398) as

presently shortened by any terminal disclaimer, in the event that such patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory terms therefor as shortened by any terminal disclaimer filed prior to grant.

Please charge our Deposit Account No. 06-2425 in the amount of \$110.00 for the terminal disclaimer fee pursuant to 37 C.F.R. § 1.20(d). A duplicate of this letter is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP



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